

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YOLANY PADILLA, on behalf of herself and her
6-year-old son J.A.; IBIS GUZMAN, on behalf of herself
and her 5-year-old son R.G.; BLANCA ORANTES, on
behalf of herself and her 8-year-old son A.M.; BALTAZAR
VASQUEZ, on behalf of himself;

Plaintiffs-Petitioners,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
("ICE"); U.S. DEPARTMENT OF HOMELAND
SECURITY ("DHS"); U.S. CUSTOMS AND BORDER
PROTECTION ("CBP"); U.S. CITIZENSHIP AND
IMMIGRATION SERVICES ("USCIS"); EXECUTIVE
OFFICE FOR IMMIGRATION REVIEW ("EOIR"); U.S.
DEPARTMENT OF HEALTH AND HUMAN SERVICES
("HHS"); OFFICE OF REFUGEE RESETTLEMENT
("ORR"); THOMAS HOMAN, Acting Director of ICE;
KIRSTJEN NIELSEN, Secretary of DHS; KEVIN K.
McALEENAN, Acting Commissioner of CBP; L.
FRANCIS CISSNA, Director of USCIS; ALEX M. AZAR
II, Secretary of HHS; SCOTT LLOYD, Director of ORR;
MARC J. MOORE, Seattle Field Office Director; ICE,
JEFFERSON BEAUREGARD SESSIONS III, United
States Attorney General; LOWELL CLARK, warden of the
Northwest Detention Center in Tacoma, Washington;
CHARLES INGRAM, warden of the Federal Detention
Center in SeaTac, Washington; DAVID SHINN, warden of
the Federal Correctional Institute in Victorville, California;

Defendants-Respondents.

No. 2:18-cv-928 MJP

**DECLARATION OF
THOMAS F. AHEARNE IN
SUPPORT OF
PLAINTIFFS' MOTION
FOR CLASS
CERTIFICATION**

1 Thomas F. Ahearne declares as follows:

2 1. **Declarant.** I am one of the attorneys of record in this case. I am over 18 years of
3 age, have personal knowledge of the matters stated below, and am competent to testify to them.

4 2. **Joanna Plichta Boisen.** Attorney Boisen's experience is summarized in her bio,
5 which is attached as Exhibit 1. It shows her experience includes: directing Foster Pepper's
6 nationally recognized Pro Bono Practice (which she founded in 2005), managing Foster Pepper's
7 wide-ranging pro bono cases and projects, and being responsible for the firm's corporate social
8 responsibility initiatives. It lists her recognitions in this role, including the W.D.Wash. Federal
9 Bar Association's Pro Bono Attorney of the Year Award (2016), the University of Washington's
10 Woman of Courage Award (2016), and King County Bar Association's Outstanding Young
11 Lawyer of the Year Award (2015). It shows she has served as the Seattle Journal for Social
12 Justice's Executive Editor (2004-2006), as a Campaign for Equal Justice Board of Directors
13 member and Vice President, as a United Way of King County Legal Steering Committee
14 member, a King County Bar Association Domestic Violence Advocacy Project Supervising
15 Attorney, Washington State Bar Association Pro Bono and Legal Aid Committee member,
16 W.D.Wash. Federal Bar Association Pro Bono Committee Co-Chair, and National Association
17 of Pro Bono Counsel Publications and Communications Committee member.

18 3. **William Abrams.** Attorney Abrams' experience is summarized in his bio, which
19 is attached as Exhibit 2. It shows his experience includes an active pro bono practice, involving
20 representation of death row inmates, wrongful convictions, special education, foster care, First
21 Amendment issues, Second Amendment and firearm regulation, privacy, prison conditions,
22 affirmative action, asylum and adoption. It also shows he has been on the Stanford faculty since
23 1996, is a director on the Southern Center for Human Rights' Board of Directors, as well as a
24 director on the Youth Law Center's Board of Directors.

25 4. **Ben Hodges.** Attorney Hodges' experience is summarized in his bio, which is
26 attached as Exhibit 3. It shows his experience includes an active pro bono practice, including

counseling and litigation for veterans denied disability benefits, prisoners, home associations, housing disputes, and pro bono counsel for the Rare Genomics Institute, and W.D.Wash. Federal Bar Association Pro Bono Award (2017).

5. Kevin Ormiston. Attorney Ormiston's experience is summarized in his bio, which is attached as Exhibit 4. It shows he is an associate in one part of Foster Pepper's Litigation & Dispute Resolution practice group, and currently focuses his practice on the issues such as the protection and enforcement of statutory rights under federal statutes governing intellectual property.

6. Tom Ahearne. My experience is summarized in my bio, which is attached as Exhibit 5. My experience includes over 30 years of trial court and appellate experience, with a primary focus on representing litigants in lawsuits involving constitutional law and statutory rights. As detailed in the list of cases on my bio, my experience over the past three decades includes (a) constitutional compliance suits such as the *McCleary* school funding litigation, (b) election statute disputes such as the series of state & federal lawsuits over the Rossi/Gregoire Governor's race, (c) statutory ballot title challenges including I-933, I-895, I-892, I-885, I-884, I-864, & I-860, (d) Public Records Act compliance suits arising out of the Marysville Pilchuck High School & Seattle Pacific University shootings, and (e) suits over the constitutional validity of statutes & initiatives such as Washington's Top-Two primary system and various Tim Eyman ballot measures.

7. Conclusion. I believe counsel in this case are qualified and capable of adequately and fairly representing the interests of the classes proposed in this case.

I declare under penalty of perjury that the foregoing is to the best of my knowledge true and correct. Executed at Seattle, Washington this 30th day of July, 2018.

s/ Thomas F. Ahearne
Thomas F. Ahearne

EXHIBIT 1

FOSTER PEPPER PLLC

Joanna Plichta Boisen

MEMBER



SEATTLE

T 206.447.5144

F 206.447.2168

joanna.boisen@fooster.com

SERVICES

Business

Litigation & Dispute
Resolution

Nonprofit & Tax-Exempt
Organizations (Chair)

PRACTICE OVERVIEW

Joanna is chair of the firm's Nonprofit & Tax-Exempt Organizations group and focuses her practice on the unique issues facing these organizations, including qualification for tax exemption, maintaining tax-exempt status and navigating board governance issues. Her clients include family and corporate private foundations, community foundations and social service and arts organizations.

Joanna also directs the firm's nationally recognized and award-winning Pro Bono Practice, which she founded in 2005. She manages Foster Pepper's wide-ranging pro bono cases and projects and is responsible for the firm's corporate social responsibility initiatives.

RECOGNITION

- Federal Bar Association, Pro Bono Attorney of the Year, 2016
- University of Washington, Woman of Courage Award, 2016
- King County Bar Association, Outstanding Young Lawyer of the Year Award, 2015
- Washington State Bar Association, Local Leader Award, 2015
- *Seattle Met*, Light a Fire, "Extraordinary Pro Bono Contribution Award", 2014
- *Puget Sound Business Journal's* "40 Under 40," 2013
- *The National Law Journal's* Pro Bono Hot List, 2013
- Washington State Bar Association, Young Lawyers Division, Thomas Neville Pro Bono Award, Recipient, 2011
- Seattle University School of Law, Outstanding Recent Alumna, Recipient, 2010
- Rising Star, Washington Super Lawyers list, 2010-2018
- Foster Pepper PLLC Pro Bono Litigator of the Year Award, Recipient, 2008
- *The Lawyer Magazine*, Featured, Outstanding Alumni 2006
- "Seattle Youth Movement: Young lawyers find pro bono work its own reward," *Washington CEO* magazine, Featured, 2007
- King County Bar Association, Motion for Revision Volunteer of the Year Award, Recipient, 2007
- First Annual Washington State Bar Association President's Scholar Essay Contest Award, Recipient, 2006

FOSTER PEPPER PLLC

Joanna Plichta Boisen MEMBER

SEATTLE T 206.447.5144 F 206.447.2168 joanna.boisen@foster.com

- Women’s Law Caucus, Kellye Testy Scholarship Award, Recipient, 2006
- Access to Justice Institute’s Public Service Award of Distinction, Recipient, 2006
- American Bar Association National Criminal Justice Trial Advocacy Competition Participant, 2006
- Seattle Journal for Social Justice, Executive Editor, 2004-2006
- CALI Legal Excellence for the Future Awards
 - + Family Law, 2005
 - + Child, Family and State, 2004
- Fredric Cutner Tausend Moot Court Competition, Participant, 2004
- University of Washington Honors Program, 1998-2002

ACTIVITIES

- Foster Pepper Summer Associate Recruiting Committee, Chair
- Campaign for Equal Justice, Board of Directors, Vice President
- Seattle University Law School Law Alumni Board
 - + President-Elect, 2015-2016
 - + Board of Directors, 2011-2014
- United Way of King County, Legal Steering Committee, Member
- King County Bar Association
 - + Domestic Violence Advocacy Project, Supervising Attorney
- Washington State Bar Association
 - + Pro Bono and Legal Aid Committee, Member
- Federal Bar Association – WDWA, Secretary
 - + Pro Bono Committee, Co-Chair
 - + Communications and Website Committee, Member
- SeattlePI.com blog, City Brights Writer
- National Association of Pro Bono Counsel, Publications and Communications Committee, Member
- Washington Young Lawyers Division (WYLD), Member
- Washington Women Lawyers, Member
- Polish Home Association, Member
- Mother Attorneys Mentoring Association, Member
- QLAW, Member

QUOTED

- “It is Not ‘OK’,” *Super Lawyers*, 2016
- “Know Your Rights as a Renter,” KING 5’s New Day Northwest, January 11, 2011
- “Pro Bono Aid Increasing,” *Puget Sound Business Journal*, August 27-September 2, 2010

PUBLICATIONS

- “[Washington Nonprofit Handbook](#),” Lead Editor, Advisory Committee and Author, 2018 Edition
- “How to Save a Life: Helping Victims of Domestic Violence in Court,” Co-Author, *NW Lawyer*, Washington State Bar Association, Vol. 69, No. 4, June 2015
- WSBA Bar News
 - + 5 Steps to Pro Bono: How Your Law Firm Can Develop a Successful Program - May 2011

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Joanna Plichta Boisen MEMBER

SEATTLE T 206.447.5144 F 206.447.2168 joanna.boisen@foster.com

- + Briefly About Me: Joanna Plichta Boisen - March 2011
- + Author, The Pro Bono Revolution: Fundamental Change in Pro Bono Culture - January 2009
- + Co-Author with Felice Congalton and Alex Baehr, Reciprocal Discipline and Changes to Local Federal Rules - September 2008
- + Author, Restoring Faith in the Independent Judiciary through Greer's Story - May 2006
- Seattle Post-Intelligencer City Brights Online
 - + 50% of Our Children "Not Ready to Succeed" - October 2011
 - + Ten Steps to a Domestic Violence Protection Order - August 2010
 - + Forget Me Not: Working with Holocaust Survivors - June 2010
 - + Free Family Law Help - Access to Advocacy and Resources - May 2010
 - + How To Get Free Legal Help - April 2010
 - + KCBA Providing Help and Hope in Hard Times - March 2010
 - + The Greatest Gift - December 2009
 - + Not on the Books: Law Library To Be Cut from Budget - October 2009
 - + Volunteer Efforts Help to Preserve Housing in King County - One Tenant at a Time - September 2009
 - + Pay to Play: Justice for All or Only for Those Who Can Afford It? - September 2009
 - + The Pro Bono Revolution: Fundamental Change in Pro Bono Culture - July 2009
 - + Helping Holocaust Heroes - July 2009
 - + A Street Kid Named Ruvin: From Tragedy to Triumph - June 2009
 - + Facing the Civil Legal Aid Catastrophe - April 2009
- KCBA Bar Bulletin
 - + Five Ways to Make a Difference - November 2010
 - + Forget Me Not: Holocaust Survivor Community - June 2010
 - + Building Experience Through Pro Bono - January 2010
 - + From the School of Hard Knocks to a Diploma - August 2009
 - + Center Stage: New UW Law Dean Kellye Testy - August 2009
 - + Bright Ideas, Big Plans: Native American Group Opens Eyes - March 2009
 - + Polish Heroes: Shedding Light on a Dark Time - March 2009
 - + Holocaust Reparations Project Launched - January 2009
 - + Pro Bono a Profitable Plus for Firms - November 2008
 - + Great Moments in Pro Bono History - June 2008
 - + Profile on Starbuck's Lucy Helm: Filling the Pro Bono Cup - April 2008
 - + Profile on David Soukup: Mi CASA Es Su CASA - March 2008
 - + More Firms Leaping into Pro Bono - February 2008
 - + Federal Bar Pro Bono Offers Easy Resolution - January 2008
 - + Getting Past the Fear of Saying Pro Bono - October 2007
 - + Giving A Voice to Native American Rights - July 2007
 - + Pro Bono Making Corporate Inroads - May 2007
- Foster Pepper News / Newsletter
 - + Spring 2008 - Great Companies: Pillars of Corporate Social Responsibility and Good Citizenship
 - + Winter 2007 - Foster Pepper Proactive About Providing Access to Justice
 - + Winter 2006 - Foster Pepper Enhances Pro Bono Program
 - + Fall 2006 - Pro Bono Work - A Diverse Mix of Activities
 - + Spring 2006 - Promoting Pro Bono

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- “Bright Ideas, Big Plans: Native American Group Opens Eyes,” KCBA Bar Bulletin - March 2009
- Foster Pepper Pro Bono Annual Report
 - + Author, 2014
 - + Author, 2013
 - + Author, 2012
 - + Author, 2011
 - + Author, 2010
 - + Author, 2009
 - + Author, 2008
 - + Author, 2007
 - + Author, 2006
- “Advocating for the Native American Child: Comprehensive Overview of the Indian Child Welfare Act,” Co-Editor with Lori Irwin, Native American Practice Group and CASA CLE Manual, November 2008
- “Advancing Women’s Rights Through Breast Cancer Litigation,” Author, King County Washington Women Lawyers Newsletter, August 2007
- “Putting It into Words: The Judicial Branch and the Four Corners of Freedom,” Author, Judge’s Journal, June 2006

PRESENTATIONS

- “Women, Race and Age: The Role of Allies,” Panelist, WSBA Diversity Series, June 2017
- “How to Make Pro Bono Work in a For-Profit Firm,” Panelist, WTL Pro Bono CLE, November 2016
- “Legal Instruments Designed to Protect Women & Children,” Speaker, Association of Threat Assessment Professionals CLE, January 2015
- “Interviewing Legally and Effectively,” Speaker, Foster Pepper Attorney Recruiting Committee CLE, August 2015
- “Effective Board Service Training,” Speaker, Foster Pepper Professional Development Committee, July 2015
- “Thriving Through Legal Resilience,” Speaker, Washington State Nonprofit Conference, May 2015
- “Protecting Native Intellectual Property,” Speaker, Tribal Economic Development: Protecting the Rights of Native Americans Through Nonprofit and Intellectual Property Law, Foster Pepper PLLC, February 2013
- “Using Law and Policy to Fight Violence Against Women and Children,” Speaker, University of Washington School of Law, February 2013
- “Advanced Legal Writing and Editing,” Speaker, Foster Pepper Litigation Group Advocacy Series, October 2012
- “Lawyering for a Just & Humane World,” Panelist, Seattle University Law School, March 2012
- “Integrating Pro Bono into Legal Practice,” Speaker, WSBA Preadmission Program, October 2011
- “Meaningfully Incorporating Pro Bono into Your Practice,” Speaker, ABA Young Lawyer’s Division CLE, September 2011
- “Understanding Revisions and Litigating in the DVPO Context,” Speaker, Seattle University School of Law, Ronald Peterson Legal Clinic, August 2011
- “Legal Elements of Ghetto Reparation, Reconsideration, and Appeals,” Speaker, University of Washington School of Law, Social Justice Tuesdays, November 2010
- “Successfully Litigating Motions for Revision and Reconsideration,” Speaker, Seattle University School of Law, Ronald Peterson Legal Clinic, September 2010
- “Pro Bono, Low Bono: Getting Legal Experience & Providing Access to Justice,” Moderator, Washington Minority Bar Associations Collaboration Project and the Statewide Diversity Conference, June 2010
- “Dispute Resolution in the Tribal Context: Cultural Awareness and Strategic Planning,” Program Chair, Nonprofit Law in Indian Country, March 2010

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- “Community Economic Development Lawyering: Systematic Change Through Pro Bono,” Panelist, Goldmark Conference, February 2010
- “ABA Celebrate Pro Bono: Hope and Help in Hard Times,” CLE, October 2009
 - + Program Chair, Serving Clients Respectfully Panel
 - + Panelist, Pro Bono Nitty Gritty
 - + Panelist, “Social Networking and the Volunteer 3Rs: Recruitment, Retention and Recognition”
- “The Pro Bono and Corporate Social Responsibility Landscape: Making a Difference in Challenging Times,” Speaker, Washington State Paralegals Association Annual CLE, October 2009
- “Putting Your Best Case Forward in Court: Motion for Revision and DVPO Hearings,” Speaker, Motion for Revision and Reconsideration/Domestic Violence Protection Order Team Training, June 2009
- “Yes You Can: Community Legal Services,” Speaker, King County Bar Association CLE, March 2009
- “Corporate Social Responsibility and Pro Bono Publico Initiatives under RPC 6.1,” Speaker, Foster Pepper PLLC Professional Development Committee CLE, October 2008
- “Protection Order Practice and Successfully Litigating a Motion for Revision,” Speaker with Bill Braun, Seattle University School of Law Ronald Peterson Legal Clinic, September 2008
- “Comprehensive History of the Motion for Revision Project,” Speaker, Domestic Violence Protection Order Motion for Revision CLE, March 2008
- “Representing Native Americans in Washington: An Indian and Tribal Law Primer CLE,” Speaker, Washington State Bar Association CLE, February 2008
- “Making Community and Pro Bono a Comprehensive Part of Your Practice,” Speaker, East King County Bar Association Pre-admission CLE, November 2007
- SU Law Days of Service Panel, Inaugural Year, Speaker, Seattle University School of Law, October 2007
- Seattle University School of Law Public Interest Law Foundation, Social Justice Week Career Panel, Speaker, Successful Careers in Public Interest Law, October 2007
- “Pro Bono Partnerships and the Role of Public Service Organizations in Advancing Native American Rights,” Speaker, An Introduction to Basic Indian Law and Tribal Courts Training and CLE, June 2007
- “History and Overview of the Motion for Revision Project and Team Mission,” Speaker, Domestic Violence Protection Order Revision Squad Training and CLE, February 2007

EXPERIENCE

- Foster Pepper PLLC
 - + Member, 2015-Present
 - + Pro Bono Partner, 2015-Present
 - + Pro Bono Counsel, 2006-2013
 - + Public Service Director, 2005
 - + Summer Associate, 2005
- Seattle University School of Law Fellowship, Access to Justice Institute, 2003-2005

BAR ADMISSIONS

- Washington, 2006
- U.S. District Court
 - + Western District of Washington, 2006
- 9th Circuit U.S. Court of Appeals

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Joanna Plichta Boisen MEMBER

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EDUCATION

- J.D., Seattle University School of Law, 2006
- B.A., University of Washington, 2002

EXHIBIT 2

FOSTER PEPPER PLLC

William F. Abrams

MEMBER



SEATTLE

T 206.447.6274

F 206.749.1971

william.abrams@foster.com

SERVICES

Litigation & Dispute Resolution

Antitrust & Consumer Protection

Business

Class Action Litigation

Constitutional Law & Statutory Rights

Employment & Labor

Environmental Litigation

Intellectual Property

Intellectual Property Litigation

International

Media, Entertainment & Games

Privacy, Cybersecurity & Data Protection

Sports Teams & Facilities

Wine, Beer & Spirits

PRACTICE OVERVIEW

Bill is an experienced trial and appellate lawyer and advisor to technology and other businesses. He has been lead counsel in nearly 100 federal and state patent, trade secret and other intellectual property cases since 2000, including trials, arbitrations and appeals involving trade secrets, interference, unfair competition, false advertising, licensing, patent infringement, defamation, privacy and trademarks. He represents public and private companies, start-ups and emerging companies, and individuals in industries including software, hardware, internet and media, artificial intelligence, higher education and research, artificial intelligence, satellite and space, life sciences, pharmaceuticals, medical devices, cryptocurrencies and blockchain, financial institutions and telecommunications.

Bill also maintains an active pro bono practice. His cases have involved representation of death row inmates, wrongful convictions, special education, foster care, First Amendment issues, Second Amendment and firearm regulation, privacy, prison conditions, affirmative action, asylum and adoption.

Bill is recognized by the highly regarded *Chambers USA* legal directory and described as “frankly brilliant at what he does; he finds the fight his client can fight, and performs very well.”

Bill is member of the Stanford faculty, where he has taught courses on Science, Innovation and the Law; Justice, Science and Policy Making; The Death Penalty; Children, Youth and the Law; Courage; and Sex and the Law since 1996.

REPRESENTATIVE WORK – Trade Secret

- Counsel for public companies regarding trade secret and IP policies, legal and best practice compliance, and training and auditing of practices.
- Represented E. & J. Gallo Winery in a trade secret action against European defendants who had misappropriated trade secrets for fruit processing technology.*
- Represented SK Hynix in trade secret litigation alleging the misappropriation of trade secrets regarding NAND flash memory manufacturing processes.*

FOSTER PEPPER PLLC

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- Represented Hewlett-Packard in trade secret/breach of NDA and breach of contract case brought by HP's vendor of anti-counterfeiting services and software, including employee raiding allegations. Case settled on the eve of trial after a week of mediations. *

REPRESENTATIVE WORK – Patent

- Represented Google in case alleging infringement of patents for software for updating Chrome browser. Bill led a team that won in the trial court and in the Federal Circuit.*
- Represented Google in consolidated cases alleging that Google infringed more than 20 patents related to location technology used by Google Maps. Numerous patents were declared invalid during claim construction, and cases settled before trial.*
- Represented Alere Medical in consolidated cases in which Health Hero, a Bosch subsidiary, alleged that Alere infringed more than 20 patents. Case settled favorably for Alere Medical before trial.*

REPRESENTATIVE WORK – Trademark and False Advertising

- Represented Stanford University in actions against Stanford Financial for false advertising, Lanham Act and trademark infringement for unauthorized use by a corrupt investment company that was using the Stanford name, colors and logo to lead people to believe that the company was affiliated with or endorsed by Stanford. During the civil case, the principal of Stanford Financial was arrested and convicted for numerous fraud violations.*
- Represented defendant SharkNinja in false advertising and Lanham Act action brought by competitor selling blenders. Case settled shortly before trial.*

REPRESENTATIVE WORK – Internal Investigations and Advice

- Ongoing advice to emerging companies regarding their artificial intelligence business.
- Ongoing advice to emerging company regarding its cryptocurrency, bitcoin and blockchain business.
- Ongoing advice to start-up companies on business formation, freedom to operate and intellectual property protection.*
- Ongoing advice to university on First Amendment and intellectual property issues.
- Counsel in an internal investigation for computer hardware company regarding allegations that its employees misappropriated trade secrets of a competitor.*
- Counsel in an internal investigation for hardware/chip company of theft of trade secrets and employee poaching by a competitor.*
- Ongoing advice to software, hardware and other technology companies on trade secret and confidential information matters, including trade secret compliance and management policies, employment policies and intellectual property protection.

REPRESENTATIVE WORK – International Arbitration

- Lead counsel in an ICC arbitration under New York law regarding claims of trade secret misappropriation and breach of NDAs between two major competitors in the life sciences industry. Case was arbitrated to decision by panel of three ICC neutrals after two years of litigation and several weeks of arbitration.*
- Lead counsel in a confidential arbitration under New York law regarding claims of trade secret misappropriation, breach of contract and unfair competition between competitors in the telecommunications and aerospace industry. Case settled after a year of litigation before a single ICC arbitrator.*

FOSTER PEPPER PLLC

William F. Abrams

MEMBER

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**Denotes experience completed at a prior firm.*

RECOGNITION

- Washington Super Lawyers list, 2018
- *Chambers USA*
 - + Intellectual Property (Washington), 2018
 - + Intellectual Property: Trademark, Copyright & Trade Secrets (California), 2011-2013; 2015-2017
 - + Intellectual Property: Patent (California), 2006-2007
- *The Best Lawyers in America*® Technology, 2014
- *The Legal 500 US*, Litigation: Commercial Litigation; Intellectual Property: Patent Litigation - Full Coverage; Intellectual Property: Trade Secrets, 2016-2017
- *Daily Journal's* "Top Intellectual Property Attorneys in California," 2009-2014, 2016-2017
- *IAM Patent 1000*
 - + Litigation: Washington, 2018
 - + Litigation: California, 2014-2017
- *Managing Intellectual Property's* "Stars" in California, 2013-2017
- Northern California Super Lawyers list, 2004-2017
- "Silicon Valley's Top 300 Lawyers" and "Silicon Valley's Top Legal Eagles," *San Jose Magazine*, 2001-2013
- "Top 100 Lawyers in California," *Daily Journal*, 2010
- CLAY Award, *California Lawyer Magazine*, 2010
- John J. Curtin Jr. Public Service Award, 2009

ACTIVITIES

- Southern Center for Human Rights, Board of Directors
- Youth Law Center, Board of Directors, Chair of Audit Committee
- Stanford Law School Center for the Legal Profession, Advisory Board

QUOTED

- "[Court: Los Angeles County Sheriff to Face New Civil Trial Over Shackling Female Inmate](#)," NBC 4, July 2018
- "New Uber GC Needs Board Cooperation and Support, Experts Say," *Daily Journal*, November 2017
- "U.S. Appellate Court Says Patent Infringement Can Repeat Venue Change Request," *Daily Journal*, November 2017

PUBLICATIONS

- "Patent Litigation Means Teaching Hypertechnical Topics," Author, *Daily Journal*, January 2017
- "Breaking Down the New Defend Trade Secrets Act," Steptoe & Johnson Client Newsletter, May 2016

PRESENTATIONS

- "[Patent Trial Best Practices: What Do Judges Really Want?](#)," Co-op Chair and Moderator, *Daily Journal's* 2018 Patent Dispute Forum, April 2018
- "Patent Disputes Forum South," Speaker, *Daily Journal*, December 2017
- "Trade Secret Adjudication," Speaker, Federal Circuit Bar Association's Annual Bench & Bar Conference, June 2017
- "Patent Disputes Forum North," Co-Chair and Speaker, *California Lawyer* April 2017

FOSTER PEPPER^{PLLC}

William F. Abrams MEMBER

SEATTLE T 206.447.6274 F 206.749.1971 william.abrams@foster.com

– “Patent Trial Best Practices: Judge and Bar Perspectives,” Speaker, *Patent Disputes Forum South*, October 2016

EXPERIENCE

- Foster Pepper PLLC, Member, 2018-Present
- Stanford University, various positions including Consulting Professor, Adjunct Professor, Instructor, 1996-Present
- Steptoe & Johnson LLP, Managing Partner Palo Alto and San Francisco Offices, 2014-2018
- Bingham McCutchen
 - + Managing Partner, 2007-2011 Silicon Valley Office, Co-Chair Intellectual Property Practice Group, 2007-2011

BAR ADMISSIONS

- California
- U.S. District Court
 - + Central District of California
 - + Eastern District of California
 - + Northern District of California
 - + Southern District of California
 - + Eastern District of Michigan
 - + Eastern District of Texas
- 9th Circuit U.S. Court of Appeals
- U.S. Court of Appeals for the Federal Circuit
- United States Supreme Court

EDUCATION

- J.D., Santa Clara University School of Law
- A.B. with Honors, Stanford University

EXHIBIT 3

FOSTER PEPPER PLLC

Benjamin J. Hodges

MEMBER



SEATTLE

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SERVICES

Litigation & Dispute
Resolution

Emergency Injunction
Team

Intellectual Property

Intellectual Property
Litigation

Patent Office Litigation

PRACTICE OVERVIEW

Ben is a registered patent attorney and focuses on complex litigation and technology counseling. His litigation experience includes managing complex civil litigation cases of all types, including post grant IP matters, patent, unfair competition, trademark and trade dress, copyright, property disputes, and breach of contract cases. He also has experience in cases involving preliminary injunctive relief.

His technology practice involves litigation and also counseling small and large companies on all types issues impacting their companies, including guiding IP prosecution efforts. He has counseled individuals and companies in services industries, manufacturing, telecommunications, software, food and consumables, petroleum refining, internet and media, and transportation.

Ben also maintains an active pro bono practice. His pro bono work includes counseling and litigation for veterans denied disability benefits, prisoners, home associations, housing disputes, and is part of the pro bono counsel for the Rare Genomics Institute.

RECOGNITION

- Foster Pepper Pro Bono Attorney of the Year, 2017
- Pro Bono Award, Federal Bar Association, Western District of Washington, 2017
- Award of Merit, Bar Association of Metropolitan St. Louis, 2014
- Legal Services of Eastern Missouri John R. Essner Young Lawyer of the Year, 2011

ACTIVITIES

- Seattle IP Inn of Court, Past Member
- American Intellectual Property Law Association (AIPLA), Member
- Washington State Bar Association
 - + Washington Young Lawyers Committee, Board Member
- American Bar Association
 - + Young Lawyers Division, IP Committee, Past Chair and Vice Chair
 - + Section of Intellectual Property Law, Member
 - + Model Jury Instruction Committee, Member

FOSTER PEPPER PLLC

Benjamin J. Hodges MEMBER

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- Greater Seattle Advisory Council, Techbridge, Board Member
- King County Bar Association
 - + Young Lawyers Division, Board of Trustees
 - + CLE Committee, Member
- Young Lawyers Division of the Bar Association of Metropolitan St. Louis
 - + Chair, 2014
 - + Member
- St. Louis Bar Foundation
 - + Fellow, 2011-Present
 - + Board of Directors, 2011-2014
- The Theodore McMillian American Inn of Court, Member, 2013-2014
- Missouri Bar Leadership Academy, 2013-2014
- Legal Services of Eastern Missouri, Volunteer Attorney
- Rare Genomics Institute, Volunteer Attorney

PUBLICATIONS

- [“Looking Ahead to 2017: Where Will Patent Venue Be Appropriate?”](#) Author, American Bar Association, Intellectual Property Litigation, February 2017
- [“Be Original in Briefs to Advance Your Argument and Avoid Copyright Infringement,”](#) Author, ABA Young Lawyers Division, Intellectual Property Law Committee Newsletter, Fall 2016
- [“The Rise of Rule 12 Motions,”](#) Author, American Bar Association, October 2016
- [“Defend Trade Secrets Act \(DTSA\) Signed Into Law: Federal Law Offers Greater Protections and New Obligations for Employers,”](#) Author, Foster Pepper News Alert, May 2016
- [“Courts To Police Direct Infringement Pleadings More Strictly,”](#) Co-Author, *Law360*, November 2015
- “The Federal Circuit’s Application of *Alice Corp. v. CLS Bank*,” Intellectual Property Litigation, ABA Section of Litigation, 2015
- “Pleading Standards in Patent Infringement Cases,” ABA Young Lawyers Division Intellectual Property Committee 101 Practice Series, 2015
- “New Task Force Needs Your Ideas For Selecting More Diverse Slates,” *St. Louis Lawyer*, October 2014
- “Copyright Remedies,” ABA Young Lawyers Division Intellectual Property Committee 101 Practice Series, Spring 2014
- “Local Patent Rules: A Survey of District Courts,” ABA Intellectual Property Litigation Committee, October 2013
- “Paths, Reasons Lead to Pro Bono,” *St. Louis Lawyer*, October 2011
- “Real-Time Bio-Sensors for Enhanced C2ISR Operator Performance,” Co-Author, Air Force Research Laboratory, Technical Report, July 2005

PRESENTATIONS

- “Tips from the Clerks of Court,” Moderator, Bridging the Gap, King County Bar Association, May 2018
- [“Net Neutrality: Free Competition or Chaos?”](#), Panelist, American Bar Association, May 2018
- [“IP And Video Games Issues: Copyrights, Trademarks, And Patents,”](#) Speaker, American Bar Association, April 2018
- [“Patent Trial Best Practices: What Do Judges Really Want?”](#), Moderator, The Role of Artificial Intelligence in Patent Litigation, *Daily Journal’s* 2018 Patent Dispute Forum, April 2018
- [“Securing Ownership Rights to Employee-Created IP,”](#) Speaker, Clear Law Institute, June 2016
- “Tips from the Bench,” Moderator, Bridging the Gap, King County Bar Association, March 2016

FOSTER PEPPER PLLC

Benjamin J. Hodges MEMBER

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- “Insights from the FTC Big Data Report 2016,” Co-Presenter, Association of Corporate Counsel, February 2016
- “St. Louis E-Discovery Symposium,” Panelist, Bar Association of Metropolitan St. Louis, June 2014
- “E-Discovery in the U.S. Federal Courts,” Speaker, St. Louis E-Discovery Symposium, Bar Association of Metropolitan St. Louis, February 2012
- “Surveying the E-Discovery Landscape: Local Rules and Guidelines Controlling E-Discovery in the U.S. District Courts,” Speaker, St. Louis Chapter of the Association of Corporate Counsel, May 2011

EXPERIENCE

- Foster Pepper PLLC
 - + Member, 2017-Present
 - + Associate, 2014-2016
- Senniger Powers LLP
 - + Associate, 2009-2014
 - + Law Clerk, 2008-2009
- U.S. Attorney’s Office, Kansas City, Missouri, Summer Associate, 2008
- Office of Special Counsel, Washington, D.C., Intern, 2008
- University of Missouri, Research Assistant for Professor Margaret McGuinness, 2008
- Farmland Foods, Inc., Summer Associate, 2007
- Legal Aid of Western Missouri, Mental Health Court, Kansas City Municipal Court, Volunteer, 2005-2006

BAR ADMISSIONS

- Washington, 2015
- Missouri, 2009
- U.S. Patent and Trademark Office, 2012
- U.S. District Court
 - + Western District of Washington, 2015
 - + Eastern District of Missouri, 2009
 - + Southern District of Illinois, 2012
 - + Western District of Missouri, 2012

EDUCATION

- J.D., University of Missouri School of Law – Columbia, 2009
 - + *Missouri Environmental Law and Policy*, Associate Member
 - + David Ray Trial Advocacy Award recipient
 - + Roscoe Anderson Award for Excellence in Advocacy recipient
- B.A., Washington University in St. Louis, 2004

EXHIBIT 4

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Kevin Ormiston

ASSOCIATE

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SERVICES

Litigation & Dispute
Resolution

Intellectual Property

PRACTICE OVERVIEW

Kevin is an Associate in the firm's Intellectual Property practice group. He focuses his practice on the creation, protection, enforcement and commercialization of intellectual property rights. In particular he is experienced in drafting and prosecuting patent applications, strategy opinions and patentability summaries.

EXPERIENCE

- Foster Pepper PLLC, Associate, 2016-Present
- Arizona Technology Enterprises
 - + Consulting Patent Attorney, 2015-2016
 - + Legal Extern, 2013
- DocuSign, Legal Intern, 2014
- Jorden Bischoff & Hiser, PLC, Legal Intern, 2013-2014

BAR ADMISSIONS

- Washington, 2015
- U.S. Patent and Trademark Office

EDUCATION

- J.D., Arizona State University, 2015
 - + Intellectual Property Certificate
 - + Jurimetrics: The Journal of Law, Science, and Technology, Submissions Manager and Article Editor
 - + William H. Pedrick Scholar
 - + CALI Award: Copyright Law
- B.S., Chemistry, Seattle University, 2012
 - + President's List
 - + Student Athlete: Men's Golf

EXHIBIT 5

FOSTER PEPPER PLLC

Thomas F. Ahearne

MEMBER



SEATTLE

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SERVICES

Litigation & Dispute Resolution,
with primary focus on

- Appeals
- Insurance Coverage
- Constitutional Law
- Statutory Rights
- Election Law

PRACTICE OVERVIEW

Tom Ahearne has over 30 years of trial court and appellate experience. His practice focuses on two distinct areas: (1) representing policyholders & claimants in insurance coverage disputes, and (2) representing litigants in lawsuits involving constitutional law, statutory rights, and election issues.

Insurance Coverage: Tom's been successfully representing insureds and claimants in a wide array of state and federal court coverage suits since the 1980s. He's a frequent speaker on insurance coverage at legal education seminars and association conferences, and was named Seattle's insurance coverage "Lawyer of the Year" in the *Best Lawyers*® 2011 Insurance Law.

Constitutional Law, Statutory Rights, & Elections: Tom's experience over the past three decades includes (a) constitutional compliance suits such as the *McCleary* school funding litigation, (b) election disputes such as the series of state & federal lawsuits over the Rossi/Gregoire Governor's race, (c) ballot title challenges including I-933, I-895, I-892, I-885, I-884, I-864, & I-860, (d) Public Records Act suits arising out of the Marysville Pilchuck High School & Seattle Pacific University shootings, and (e) suits over the validity of statutes & initiatives such as Washington's Top-Two primary system and various Tim Eyman ballot measures.

SOME ILLUSTRATIVE EXAMPLES OF CONSTITUTIONAL, STATUTORY RIGHTS, & ELECTION LAW CASES

- *McCleary v. State* (action to enforce State Constitution's public education clause), 173 Wn.2d 477, ensuing 2012-2018 enforcement proceedings posted on the Supreme Court's website at [McCleary Orders & briefing](#) (King County Superior Court & Washington Supreme Court)
- *In re Special Election on Moses Lake School District No. 161 Proposition 1*, (representing School District in successful defense of school bond measure that passed by 3 votes), 2 Wn.App.2d 689 (Grant County Superior Court & Washington Court of Appeals)

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- *Washington State Grange v. Washington State Republican Party, et al.*, (representing Washington State Grange in the ultimately successful defense of its Top-Two Primary Initiative against First Amendment “facial” challenges by the Democrat, Republican, & Libertarian parties), 552 U.S. 442, reversing 460 F.3d 1108 & 377 F.Supp.2d 907 (U.S. Supreme Court, 9th Circuit, & W.D.Wash.)
- *Washington State Democratic Party v. Washington State Grange*, (representing defendant Grange in successfully obtaining dismissal of political parties’ “as applied” challenges to the constitutionality of the Grange’s Top-Two Primary Initiative), 676 F.3d 784, cert. denied 133 S.Ct. 110 (U.S. Supreme Court, 9th Circuit, & W.D.Wash.)
- *Jane Doe v. City of Lake Stevens*, (securing TRO, preliminary injunction, & permanent injunction against government agency’s public release of photographs of crime victim) (Snohomish County Superior Court)
- *Jane Does v. King County*, (TRO & injunction proceedings to block government agency’s public release of video of Seattle Pacific University shooting victim), 192 Wn.App. 10 (King County Superior Court & Washington Court of Appeals)
- *Jane Doe v. City of Everett, et al.*, (TRO & injunction proceedings to block government agency’s public release of Marysville Pilchuck High School shooting witness’s cellphone data) (Snohomish County Superior Court & Washington Court of Appeals)
- *Bainbridge Ratepayers Alliance v. City of Bainbridge Island*, (defending validity of municipal bonds), 158 Wn.App. 1051, 2010 WL 4962942 (Kitsap County Superior Court & Washington Court of Appeals)
- *Borders, et al. v. King County, et al.* (representing defendant Secretary of State in Republicans’ trial to overturn the 2004 Governor’s election that was decided by 133 votes) (Chelan County Superior Court)
- *Republican Party v. King County, et al.*, (representing defendant Secretary of State in Republicans’ emergency injunction action concerning hand recounts in the 2004 Governor’s election), 153 Wn.2d 220 (Pierce County Superior Court & Washington Supreme Court)
- *McDonald et al. v. Reed, et al.*, (representing defendant Secretary of State in Democrats’ expedited original jurisdiction Supreme Court action concerning hand recounts in the 2004 Governor’s election), 153 Wn.2d 201 (Washington Supreme Court)
- *Republican Party v. King County, et al.*, (representing defendant Secretary of State in Republicans’ emergency weekend TRO action concerning machine recounts in the 2004 Governor’s election) (W.D. Wash.)
- *In re Coday*, (representing defendant Secretary of State in original jurisdiction Supreme Court action relating to Governor’s election contest petitions), 156 Wn.2d 485, cert. denied, 127 S.Ct. 444 (U.S. Supreme Court & Washington Supreme Court).
- *Brown v. Owen*, (original jurisdiction Supreme Court mandamus action to enforce State constitution’s majority-vote provision), 165 Wn.2d 706 (Washington Supreme Court)
- *Pierce County v. State II*, (class refunds & constitutional contracts clause litigation), 159 Wn.2d 16 (King County Superior Court & Washington Supreme Court)
- *Brown v. State*, (action to enforce State Constitution & portions of Initiative 732), 155 Wn.2d 254 (King County Superior Court & Washington Supreme Court)
- *McGowan, et al. v. State*, (action to enforce portions of Initiative 732), 148 Wn.2d 278 (Thurston County Superior Court & Washington Supreme Court)
- *Washington Association of Neighborhood Stores v. State*, (representing Initiative sponsor defending constitutional challenge to Initiative 773), 149 Wn.2d 359 (Thurston County Superior Court & Washington Supreme Court)
- *City of Burien, et al. v. Kiga, et al.*, (representing plaintiffs in constitutional challenge invalidating Initiative 722) 144 Wn.2d 819 (Thurston, King, Kitsap, Spokane, & Skagit County Superior Courts and Washington Supreme Court)

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- *Governor Locke, et al. v. Reed, et al.*, (representing Governor in Supreme Court original jurisdiction action concerning referendum measures and veto power) (Washington Supreme Court #75392-0)
- *Pierce County, et al. v. State I*, (representing plaintiffs in constitutional challenge to Initiative 776), 150 Wn.2d 422 (King County Superior Court & Washington Supreme Court)
- *Amalgamated Transit Union, et al. v. State*, (representing plaintiffs in constitutional challenge invalidating Initiative 695), 142 Wn.2d 183 (King, Thurston, & Yakima County Superior Courts and Washington Supreme Court)
- *City of Seattle, et al. v. "Save Our Schools" Initiative Committee, et al.*, (representing Seattle in defense of pre-election challenge to City Initiative 34), 779 P.2d 726 (King County Superior Court & Washington Supreme Court)
- *Tacoma Narrows Constructors v. Nippon Steel-Kawada Bridge*, (enforceability of arbitration clause under international treaty), 138 Wn.App. 203, 163 Wn.2d 1011 (Thurston County Superior Court, Court of Appeals, & Washington Supreme Court)
- *Alaska Protein Recovery v. Puretek Corp.*, (successfully enforcing arbitration rights under the Federal Arbitration Act), 2014 WL 2011235 (W.D. Wash.)
- *1000 Virginia Ltd. Partnership v. Vertec*, (interpretation & application of construction claim statute), 158 Wn.2d 566 (King County Superior Court & Washington Supreme Court)
- *Ballard Square Condominium Owners v. Dynasty Construction*, (interpretation & application of corporate dissolution statutes), 158 Wn.2d 603 (King County Superior Court & Washington Supreme Court)
- *Satomi Owners Association v. Satomi LLC*, (action to enforce arbitration clause under U.S. Constitution's supremacy clause), 167 Wn.2d 781 (King County Superior Court, Court of Appeals, & Washington Supreme Court)
- *Wishart, et al. v. Clallam County Housing Authority, et al.*, (defending housing authority against statutory challenge to public housing construction) (Clallam County Superior Court & Washington Court of Appeals)
- *Bonjorni v. City of Auburn*, (defending city against constitutional & statutory challenges to its municipal court system), 93 Wn.App. 1002, 1998 WL 781152 (King County Superior Court, Washington Court of Appeals, & Washington Supreme Court)
- *Pierce County Housing Authority v. Washington Utilities and Transportation Commission, et al.*, (representing housing authority in overturning Washington Utility & Transportation Commission's statutory interpretation) 86 Wn.App. 138, 131 Wn.2d 1012 (Pierce County Superior Court, Washington Court of Appeals, & Washington Supreme Court)
- *Concerned Citizens, et al. v. AHS Joint Operating Board, et al.*, (defending municipal Joint Operating Agency against constitutional, statutory, & common law challenges to its operations) 78 Wn.App. 333, 127 Wn.2d 1024 (Skagit County Superior Court, Washington Court of Appeals, & Washington Supreme Court)
- *Wright, et al. v. King County, et al.*, (defeating TRO claim against County's land use decision), 77 Wn.App. 1074 (King County Superior Court & Washington Court of Appeals)
- *Kendall, et al. v. Public Hospital District No 6*, (defending hospital district against statutory & constitutional challenges to the legality of its operations), 118 Wn.2d 1 (Grant County Superior Court & Washington Supreme Court)

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SEATTLE T 206.447.8934 F 206.749.1902 ahearne@foster.com**SOME ILLUSTRATIVE EXAMPLES OF INSURANCE COVERAGE CASES**

- *No Boundaries Ltd. v. Pacific Indemnity Co. [Chubb]* (defeating insurance company's interpretation of its policy's code upgrade coverage), 160 Wn.App. 951 (King County Superior Court & Washington Court of Appeals)
- *Commonwealth Insurance Company v. Grays Harbor County*, (defeating insurance company's interpretation of its policy's code upgrade and earthquake coverage), 120 Wn.App. 232 (Pacific County Superior Court & Washington Court of Appeals)
- *Pinnacle Realty v. General Security Insurance Company*, (defeating insurance company's interpretation of its policy's coverage for punitive damages), (St. Louis Circuit Court & Missouri Court of Appeals; King County Superior Court & Washington Court of Appeals)
- *Intracorp Real Estate LLC v. USI, et al.*, (representing policyholder in combined insurance policy reformation / broker malpractice action), (King County Superior Court)
- *American Hardware Insurance Group v. West One Automotive*, (defense against insurance company's interpretation of its policy's coverage for employment discrimination), 167 Ore.App. 244 (Klamath County Circuit Court & Oregon Court of Appeals)
- *Wellbrock v. Assurance Company of America*, (representing insurance claimant in wrongful death coverage action), 90 Wn.App. 234 (King County Superior Court & Washington Court of Appeals)
- *Mercer International v. USF&G*, (defeating insurance company's interpretation of its policy's coverage for fire damage to residential complex), 938 F.Supp. 680, 189 F.3d 473, 1999 WL 594813 (W.D. Wash. & 9th Cir.)
- *McRory v. Catlin Specialty Ins. Co.*, (contesting coverage denial under Directors & Officers policy), 511 Fed.Appx. 632 (W.D. Wash. & 9th Cir.)
- *Wright v. Safeco Ins. Co.*, (contesting coverage denial under property policy), 124 Wn.App. 263 (King County Superior Court & Washington Court of Appeals)
- *Allstate Ins. Co. v. Forest Lynn Homeowners Association*, (contesting coverage denial for rot damage), 914 F.Supp. 408 (W.D. Wash.)

EXAMPLES OF RECOGNITIONS

- *Washington Super Lawyers* – Super Lawyer selection (2000-present)
- *The Best Lawyers in America*® - Insurance Law (2007-present)
- *Best Lawyers*® 2011 Insurance Law "Lawyer of the Year" in Seattle
- *KING 5 (Seattle) News* - "Paralyzed Lawyer Still Standing For Washington Children" (September 2014)
- *KING 5 (Seattle) News* - "[Lawyer for McCleary Family on Decision](#)" (June 2018)
- *KREM 2 (Spokane) News* - "[Extended Interview with McCleary Family Lawyer](#)" (June 2017)
- *The Boston Globe* – "[In Northwest, a question of tax cuts or education](#)" (November 2015)
- Washington Association of Educators of the Talented and Gifted – Distinguished Advocate Award (2015)
- *KING 5 (Seattle) News* – "[McCleary Attorney: It's About Time](#)" (August 2015)
- *Publicola at Seattle Met* - "[Best of Fizz 2014](#)" (December 2014)
- *KING 5 (Seattle) News* - "Inside Politics: McCleary v. the State of Washington" (September 2013)
- *KING 5 (Seattle) News* - "Jean Enersen's Northwest Newsmakers on King 5" (February 2013)
- *Washington Super Lawyers* - "[Paramount Duty - Thomas Ahearne Wins One For Public Education](#)" (2012)
- *The Super Lawyers Blog* – "[Thomas Ahearne Scores Win for Education](#)" (January 2012)
- *Washington State Bar News* - "[Briefly About: Tom Ahearne](#)" (November 2011)
- *Seattle Magazine* – "[2010 Most Influential Lawyer of the Year](#)" (November 2010)
- Washington Association of School Administrators "Golden Gavel" Award for outstanding contribution to public education (2010)

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- *KING 5 (Seattle) News* - "Update on Terrorism Insurance After 9/11" (2002)
- *KING 5 (Seattle) News* - "Terrorism Insurance After 9/11" (2001)
- Martindale-Hubbell AV rating
- Phi Beta Kappa
- Phi Delta Phi

LAW RELATED ACTIVITIES

- Washington Defense Trial Lawyers (WDTL)
- Washington State Association of Municipal Attorneys (WSAMA)
- Risk and Insurance Management Society (RIMS)
- King County Bar Association, Judicial Screening Committee (2003-2009)
- Washington State Bar Association, Litigation Section
- Federal Bar Association
- American Bar Association, Litigation Section & Insurance Coverage Litigation Committee
- King County Prosecutor's Office, Special Deputy Prosecutor, Felony Drug Task Force (1990-1991)

NON-LAW ACTIVITIES

- Washington State Bowhunters, Member (2002-February 11, 2014)
- Washington Motorcycle Road Racing Association (WMRRA), 600cc Racer (2009-February 11, 2014)
- Rocky Mountain Elk Foundation, Life Member (2001-death)
- Bainbridge Island Football Club [*a/k/a "Soccer"*], Board Member & Secretary (2009-2013)
- Washington Hillary Clinton delegate, Democratic National Convention, Denver, Colorado (2008)
- Bainbridge Island Planning Commission, Commissioner (1994-1997)
- United Way of King County, Literacy and Employment Funding Review Panel, Member (1993-1996)
- Bainbridge Island Comprehensive Plan Advisory Committee, Member (1992-1994)
- Bainbridge Island Transportation Planning Committee, Chair (1991-1992)
- Notre Dame Alumni Club of Western Washington, Secretary & Newsletter Editor (1987-1994)

EXAMPLES OF LEGAL EDUCATION PRESENTATIONS ON CONSTITUTIONAL, STATUTORY, & ELECTIONS ISSUES

- *"First Amendment: Free Speech in School District Elections"* (Washington State Council of School Attorneys Spring Workshop, 2018)
- *"Public Disclosure Act & Privilege Ethics: Common Interest, Joint Defense, Client Confidences, Attorney-Client Communications, Work Product, and Deliberative Process"* (Law Seminars International, 2018)
- *"School Funding Litigation Remedies"* (National education litigators workshop, New York City, 2017)
- *"Litigating State Constitutional Issues"* (Federalist Society Conference, Reagan Presidential Library, California, 2017)
- *"School Funding Litigation Under State Constitutional Provisions"* (National education litigators workshop, Los Angeles, 2016)
- *"School Funding Causes of Action, Evidence, and Trial Strategies"* (National education litigators workshop, New York City, 2015)
- *"Public Bidding Procedures and Bid Contests"* (Lorman Education Services, 2009)
- *"Election Law in Washington: Initiatives and Referenda"* (Lorman Education Services, 2008)
- *"Washington Public Bidding Procedures & Bid Contest Law"* (Lorman Education Services, 2008)

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Thomas F. Ahearne MEMBER

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- “*Constitution & Education Funding Litigation*” (Full Funding Coalition Seminar, Senate Office Building, Olympia, Washington, 2007)
- “*Public Works Construction: New & Dramatic Legal Changes in Washington*” (Lorman Educational Services, 2006)
- “*Election Law in Washington*” (Northwest Legal Foundation, 2005)
- “*Where’s My Vote? Lessons Learned From Washington’s Gubernatorial Election*” (Seattle University Law School symposium, 2005)

EXAMPLES OF LEGAL EDUCATION PRESENTATIONS ON INSURANCE COVERAGE ISSUES

- “*Top Ten Insurance Coverage Traps To Avoid*” (FP Insurance Seminar, 2018)
- “*Details Of Washington Bad Faith Law*” (National Business Institute, 2017)
- “*Washington Insurance Law On Interpreting The Policy Language At Issue In A Bad Faith Case*” (National Business Institute, 2017)
- “*Insurance Coverage Legal Update*” (FP Insurance Seminar, 2017)
- “*Construction Law: What Do You Do To Pursue Insurance Claims?*” (National Business Institute, 2017)
- “*Insurance Bad Faith ‘Set-Up’ in Washington: the Law & the Origin of the Set-Up*” (National Business Institute, 2016)
- “*Insurance Bad Faith ‘Set-Up’ in Washington: Recognize an Unreasonable Third-Party Demand*” (National Business Institute, 2016)
- “*Panel on an Overview of Ethical Rules in Washington as Compared to Oregon, Idaho & Alaska regarding the Insurance Tripartite Relationship*” (Washington Defense Trial Lawyers, Annual Insurance Law Update, 2015)
- “*Insurance Coverage Issues in Public Works Construction, Public Contracts, & Procurement*” (Lorman Education Services, 2013)
- “*Insurance Coverage: Public Ports and Contracting*” (Washington Public Ports Association, 2012)
- “*How to Collect from Someone Else’s Insurance for Just About Anything*” (Association of Washington Housing Authorities Conference, 2012)
- “*Insurance Considerations in the Bidding Process*” (The Seminar Group, 2012 & 2011)
- “*Insurance Coverage and Its Critical Role in Construction Defect Claims*” (Lorman Education Services, 2011 & 2008)
- “*Ethical Considerations in Construction Defect Litigation & Insurance From A to Z*” (National Business Institute, 2010)
- “*Pursuing Insurance Coverage for Construction Defects: Common Pitfalls for Coverage*” (The Seminar Group, 2011, 2010, 2009, & 2008)
- “*Insurance Fair Conduct Act (IFCA)*” (The Seminar Group, 2009)
- “*Insurance Coverage Issues in Public Works Construction*” (Lorman Education Services, 2009 & 2008)
- “*Coverage Disputes & Bad Faith Claims*” (National Business Institute, 2009)
- “*Construction Projects — Insurance Coverages for Construction Defects*” (Lorman Education Services, 2008)
- “*Reducing Project Risks Through Insurance*” (Lorman Education Services, 2008)
- “*Pursuing Insurance Coverage for Construction Defects, Water Intrusion, & Other Calamities*” (The Seminar Group, 2007)
- “*Insurance Coverage & Indemnity Clauses — Ensuring that Someone Else Pays When Things Go Wrong*” (The Seminar Group, 2007)
- “*Myth vs. Reality in the World of Condominiums, Construction Litigation & Insurance Coverage — Traps in the Trenches*” (FP Real Estate and Land Use Development Seminar, 2007)
- “*Construction Defects: Insurance Coverage for Water Intrusion & Other Calamities*” (National Business Institute, 2006)
- “*Insurance Coverage Trends*” (National Business Institute, 2006)

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- “*Insurance Law: Third Party Coverage*” (National Business Institute, 2006)
- “*Construction Defects: Water Intrusion Insurance Claims*” (The Seminar Group, 2005)
- “*Water Intrusion & Other Construction Insurance Issues*” (National Business Institute, 2004)
- “*Insurance Coverage Challenges in Washington*” (National Business Institute, 2004)
- “*Water Intrusion and Toxic Mold Claims*” (Sterling Educational Services, 2004)
- “*Insurance Litigation in Washington*” (National Business Institute, 2003)
- “*Solving Water Intrusion & Mold Problems in Washington*” (Lorman Education Services, 2002)
- “*Insurance Protection For Construction Defects, Terrorist Threats, & Other Losses*” (Evergreen Rural Water Association, 2002)
- “*Protections & Limitations Of Home Owner Warranty/Insurance Programs Under Washington Law*” (Master Builders Association Conference, 2002)
- “*Understanding The Insurance Contract & Washington Insurance Coverage Law*” (National Business Institute, 2002)
- “*Construction Defects & Mold Claims: Parties and Insurance Coverage*” (National Business Institute, 2002)
- “*Insurance Law In Washington*” (National Business Institute, 2001)
- “*Getting The Most Insurance Protection For Your Taxpayers*” (Washington municipal attorney conference, 2000)
- “*Recent Collapse Cases & First—Party Property Cases In Washington*” (Washington Defense Trial Lawyers Association seminar, 1998)
- “*Getting The Most Out Of The Insurance The Homeowner Paid For*” (National Business Institute, 1998)
- “*Getting The Most Out Of That Directors And Officers Policy The Company Bought*” (National Business Institute, 1998)
- “*Insurance Coverage For Environmental Pollution Claims: Use Those Old Insurance Policies*” (Risk Insurance Management Society/RIMS conference, 1996)

LEGAL CAREER

- Foster Pepper PLLC, Equity Member (1993-present), Associate (1986-1992)
- U.S. District Court, Southern District of Texas, Houston Division, Law Clerk to Chief Judge John V. Singleton, Jr. (1984-1986)

BAR ADMISSIONS

- Washington (1984)
- U.S. District Court, Western District of Washington (1984)
- U.S. District Court, Eastern District of Washington (1991)
- U.S. Court of Appeals, Ninth Circuit (1991)
- United States Supreme Court (2006)

EDUCATION

- University of Chicago, J.D. *with honors* (1984)
- University of Notre Dame, B.A., Economics, *magna cum laude* (1981)